Human Resources

Guidance for the use of Casual Contracts and Flexible Worker Agreements (Contract for Services)

These guidelines aim to provide information about the use of the Casual Contracts and Flexible Worker Agreements. If you have any queries, please contact Salaries at salaries-cc@st-andrews.ac.uk or Ext 2644/1976.

1  DEFINITIONS

Flexible Worker Agreement (Contract for Services)
To be used for ad hoc work, which is flexible in terms of hours, and there is no mutual obligation to accept or offer work.

Flexible Worker Assignment Letter
This must be completed and returned with the first agreement (contract for services), detailing the terms of the assignment. A further assignment letter must be issued to the individual and salaries for each further assignment given within the agreement dates. For example, agreement dates are 16 September 2019 to 31 May 2020. First assignment letter must have a start date of no earlier than 16 September 2019 with a possible end date of 20 December 2019. A new assignment commences on 27 January 2020, therefore a new assignment letter must be submitted, to cover this new assignment, but no new flexible worker agreement (contract for services) is required as the work is being carried out within the original dates.

Casual Contract
To be used for short-term casual work, where there is a regular pattern of work, (i.e. sickness cover, maternity, unpaid leave), and the post is to be funded by the school/unit/grant casual budget, using only current published hourly rates on the Salaries website.

Monthly Hours
Hours must be submitted monthly to Salaries on the school/unit spreadsheet before cut off. A master spreadsheet can be obtained from Salaries, email ts-salaries@st-andrews.ac.uk.

SSP/SMP/PL
Entitlement to statutory rates for Sick pay/Maternity pay/Paternity Leave.

2  DURATION

The maximum duration of a Flexible Worker Agreement contract must be 2 years e.g. September 2019 – August 2021.

The maximum duration for a Casual Contract must be 15 weeks. In extenuating circumstances the duration of the contract for one week or two with the approval of your HRBP.

3  WHEN TO USE A FLEXIBLE WORKER AGREEMENT

To be used for ad hoc work, which is flexible in terms of hours, swapping of shifts and there is no mutual obligation to accept or offer work. For tutoring purposes, it should be used predominately for existing students to provide an opportunity for skills development. Pay rates to be used are the published hourly rates on the Salaries website.
4 WHEN TO USE A SHORT-TERM CASUAL CONTRACT

The use of short-term casual contracts allows you to retain necessary flexibility and short-term cover within your School/Unit where there is a regular pattern of work, for example:-

- If a post requires specialist expertise or experience not readily available within the University in the short-term.
- To cover staff absences e.g. short-term sickness, parental leave, etc.
- There is a business need for input from specialist practitioners.
- Where student or business demand is particularly uncertain in the short-term, e.g. a recently graduated student to provide cover tutoring for 1 Semester.

Where your situation falls outside the above criteria or you require any further information please contact Human Resources Ext 2350/3096 or your HRBP.

Casual Contracts may be issued for a maximum of 15 weeks. In extenuating circumstances the duration of the contact can be extended for a week or 2 with the approval of your HRBP. However, short-term contracts should not be used on an ongoing/recurring basis. In cases where the requirement will extend beyond the scope of an initial short-term contract you should contact your HRBP. Please see for guidance on type of contract to be used.

5 ENTITLEMENT TO WORK IN THE UK

The University is legally required under the provisions of the Immigration, Asylum and Nationality Act 2006 to verify, prior to the commencement of an assignment that any individual undertaking work for the University, regardless of duration and contractual status, is eligible to work in the UK. Failure to adhere to this may lead to the University losing its licence to employ migrant workers and a civil penalty of up to £20,000 per illegal worker can be imposed.

You must ensure that the appropriate right to work documentation is obtained for all casual contracts and flexible worker agreements, even if the person has worked for the University previously. Please refer to the University guidelines on Right to Work in the UK at https://www.st-andrews.ac.uk/policy/staff-rights-to-work/internal/right-to-work-in-the-uk-procedure-and-flowchart.pdf.

If you have any queries about an individual’s right to work in the UK, please contact Human Resources prior to issuing any contract on Ext 2497 or hrimmigration@st-andrews.ac.uk.

6 COMPLETING THE FLEXIBLE WORKER DETAILS FORM

The flexible worker details form must only be completed when the first assignment is due to start.

- Section 1 should be completed by the School/Unit.
- Section 2-3 must be completed by the Flexible Worker either before or on the first day of duties, ensuring the document is signed and any required documentation for entitlement to work is attached, along with the HRMC starter checklist form.
- The assignment letter for the first assignment must be attached to the Flexible Worker Details form when submitting to salaries. Failure to do this will result in the documents being returned.
- Section 4 should be signed by the Head of School/Unit/Designated Signatory, along with an extension number for whom we should contact for any query after the Flexible Worker has completed sections 2-3.
• Thereafter an assignment letter must be completed for each assignment and sent to hrdata@st-andrews.ac.uk. If this is not completed the hours worked will not be paid.

• A copy of the completed Flexible Worker Details Form, Flexible Worker Agreement T&C’s and Flexible Worker Assignment letter should be retained by the Flexible Worker and the School/Unit.

• If you wish the Flexible Worker to do work as an academic and also a support worker you will be required to send in two separate assignment letters along with one flexible worker details form. If however you wish to add a new type of work i.e support or academic after a flexible worker details form has been actioned a new Flexible Worker Details Form must be completed along with the assignment letter.

• Completed and signed forms should be emailed to Salaries (salaries-cc@st-andrews.ac.uk), during the first few days of agreement or at least before the cut off date in the month the agreement has commenced.

• One email should be submitted per form or assignment, containing a separate pdf for each of the following: flexible worker details form, assignment letter, Right to Work and HRMC starter checklist form.

• An appropriate School/Unit master spreadsheet should be completed for all staff and submitted to the Salaries team by email (ts-salaries@st-andrews.ac.uk) by an authorised signatory, on or before the cut off date for that month. Annual leave will be paid along with the hours worked. Master spreadsheets can be obtained by emailing ts-salaries@st-andrews.ac.uk.

Any future assignment letters must be sent to hrdata@st-andrews.ac.uk on the first day of the new assignment.

7 COMPLETING THE CASUAL WORKER DETAILS FORM

The Casual Worker Details Form must be completed for each casual assignment.

• Section 1 should be completed by the School/Unit.

• Section 2-3 must be completed by the Casual Worker either before or on the first day of duties, ensuring the document is signed and any required documentation for entitlement to work is attached, along with the HRMC starter checklist form.

• Section 4 should be signed by the Head of School/Unit/Designated Signatory, along with an extension number for whom Salaries should contact for any query, after the Casual Worker has completed sections 2-3.

• A copy of the completed Casual Worker Details Form and Casual Worker T& should be retained by the Casual Worker and the School/Unit.

• Completed and signed forms should be emailed to Salaries (salaries-cc@st-andrews.ac.uk), during the first few days of agreement or at least before the cut off date in the month the agreement has commenced.

• One email should be submitted attaching the following as separate pdf, Casual Worker Details Form, Casual Worker T’s &C’s, Right to Work and HRMC starter checklist form.

• An appropriate School/Unit master spreadsheet should be completed for all staff and submitted to the Salaries team by email (ts-salaries@st-andrews.ac.uk) by an authorised signatory, on or before the cut off date for that month. Master spreadsheets can be obtained by emailing ts-salaries@st-andrews.ac.uk.
8 HOURS OF WORK

Hours of work should not exceed 36.25 hours per week, irrespective of how many contracts/posts the individual has with the University. If you wish to offer an individual contract to someone who already works 36.25 hours per week at the University, please contact your HRBP for further advice.

- If you are absent from work due to sickness you must inform your Line Manager who will inform salaries-absence@st-andrews.ac.uk of the first day of absence.
- When you return you must inform your Line Manager who should email salaries-absence@st-andrews.ac.uk to update your absence record.

9 CUT OFF DATES

The cut off dates for receipt of new contracts can be found at:-
https://www.st-andrews.ac.uk/staff/money/salaries/dates/

The cut off dates for timesheets can be found at:-
https://www.st-andrews.ac.uk/staff/money/salaries/dates/

Incomplete documents will not be processed and will be returned to the School/Unit. Late documents will be processed in the next available salary run. This may result in payment being delayed. Please contact Salaries if you have any queries.

10 RATES OF PAY

All current casual hourly rates can be obtained from the Salaries website:-
https://www.st-andrews.ac.uk/hr/salariesandpensions/casualstaff/hourlyrates/

You should contact the Framework Team at hera@st-andrews.ac.uk or on ext. 1651, prior to any work being undertaken, if you wish to pay any alternative rate and attach a copy of the approval with the casual contract.

11 TAX DETAILS

All individuals regardless of their age are liable to pay Income Tax if their income exceeds their personal allowance. Any new Flexible Worker and Casual Worker or someone who has Worker is already using their tax allowance with another employer, they should pay tax on all of their earnings with us, therefore the Flexible Worker/Casual Worker would chose ‘I have another job’ statement in the ‘Present circumstances’ on the HRMC starter checklist form.

Please contact Salaries if you require further information about tax forms.

12 STATUTORY PAY

If you are sick for more than 3 days, you may be entitled to Statutory Sick Pay (SSP) on the 4th day and thereafter for 28 weeks if your AWE (average weekly earnings) are £118 or more.
https://www.gov.uk/statutory-sick-pay

If you become pregnant you may be entitled to Statutory Maternity Pay (SMP).
https://www.gov.uk/maternity-pay-leave/eligibility
If you are the partner/child adopter/intended parent of a child, you may be entitled to Statutory Paternity Leave (SPL).

https://www.gov.uk/paternity-pay-leave/eligibility

13 PAYMENT

Salaries are paid on the second last working day of the month by BACS transfer and can only be paid to UK bank accounts. Providing documents and relevant spreadsheets are received by the published cut off dates we will ensure payment is processed on the second last working day. Please contact the Salaries Office if you have any further queries.

14 FOR FURTHER INFORMATION

Further information can be found here:-
https://www.st-andrews.ac.uk/hr/salariesandpensions/casualstaff/, by emailing Salaries at salaries-cc@st-andrews.ac.uk or on ext. 1976